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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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1st BRIDGE LLC,

Plaintiff,

-against-

682 JAMAICA AVENUE, LLC, DOMINGO
MADRID and MERCEDES VARGAS,

Defendants.

ORDER

08-CV-3401 (NGG) (MDG)

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NICHOLAS G. GARAUFIS, United States District Judge.

Plaintiff 1st Bridge LLC ("1st Bridge") brings a foreclosure action against Defendants 682 Jamaica Avenue, LLC, Domingo Madrid, and Mercedes Vargas. (Complaint (Docket Entry # 1).) On February 6, 2009, the court entered a default judgment against Defendants and referred the matter to Magistrate Judge Marilyn D. Go for a damages inquest. (Docket Entry # 27.) On July 13, 2010, Judge Go recommended that the case caption reflect Mercedes Vargas's status as a defendant; that the court enter judgment in favor of 1st Bridge against Defendants 682 Jamaica Avenue, LLC and Domingo Madrid for \$684,470.00, plus interest at the standard rate from entry of default judgment on February 6, 2009; \$33,000.00 in late fees; \$1,500.00 in property inspection fees; \$1,350 in costs; and \$3,900 in attorneys' fees; less \$10,000.00 for escrow credit. ("R&R" (Docket Entry # 35).) Judge Go further recommended that the court order the sale of 682 Jamaica Avenue, Brooklyn, New York, the real property in dispute, and foreclose Defendants from their rights to the property. (Id.)

No party has objected to Judge Go's R&R, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2). Having reviewed Judge Go's thoroughly reasoned R&R, the court adopts her recommendations but modifies them only as to the final calculation of the damages owed to 1st

Bridge. See, e.g., Brown v. Ebert, No. 05-CV-5579 (DLC), 2006 U.S. Dist. LEXIS 94265, at *6 (S.D.N.Y. Dec. 29, 2006) (where no party objects to a magistrate judge's report and recommendation, review is for "clear error").

Accordingly, the court enters judgment in favor of Plaintiff as follows: (1) The court enters judgment against Defendant Mercedes Vargas, but only to the extent of declaring her lease null and void and terminating her interest in the real property in dispute, 682 Jamaica Avenue, Brooklyn, New York; (2) The court enters judgment against Defendants 682 Jamaica Avenue, LLC and Domingo Madrid for \$550,000.00 in principal on the mortgage; \$129,220.00 in interest; \$33,000.00 in late fees; \$1,500.00 for property inspection fees; \$3,900.00 in attorneys' fees; \$1,350.00 in costs; less \$10,000.00 for escrow held by Plaintiff; for a total amount of \$708,970.00; (3) The court awards Plaintiff post-judgment interest on the amount of \$669,220.00, running from February 7, 2010, pursuant to 28 U.S.C. § 1961; (4) The court bars and forecloses Defendants from all right, title, claim, interest, lien, and equity in 682 Jamaica Avenue, Brooklyn, New York; (5) The court orders the foreclosure and sale of 682 Jamaica Avenue, Brooklyn, New York consistent with the procedures outlined in Judge Go's R&R.

SO ORDERED.

Dated: Brooklyn, New York
November 3, 2010

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge